



James Hodson
Information Rights
Bedfordshire Police Headquarters,
Woburn Road, Kempston,
Bedford, MK43 9AX

Telephone: 01234 842547
Email: foi@herts.pnn.police.uk

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Our Ref: FOI2018/05736

REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2018/05736

I write in connection with your request for information received on 10th October. I note you seek access to the following information:

I am writing to you under the Freedom of Information Act 2000 to request the following information.

The number crime reports in the last five years (2014,2015,2016,2017,2018 so far) of children under the age of 18 who have been accused of "sexting" activities - that is sending or sharing explicit or naked pictures of themselves on social media or text messaging services to others. NB: For the year 2018 please state where you have gone up to.

Please break this information down by year and include a) the age of the child at the time of the offence and their gender b) the number of children per year who were charged or cautioned as a result c) The medium used to send explicit content (for example: text message, WhatsApp, Twitter, Facebook)

I would also like to know whether the child who sent the material was added to the sex offenders' register afterwards. If possible please include the age of the recipient of the explicit material as well as the sender as well.

I am aware that you will not record specific offences under the category "sexting". I believe the most appropriate offences to search within is distributing or publishing an indecent image(s) of a child under s1 of the Protection of Children Act, 1978. It would then require a search within those offences or reported offences carried out by children to isolate those cases in which a child sent an image of themselves to another person.

I am required by the Freedom of Information Act 2000 (The Act) to handle all requests in a manner that is blind to the identity of the requestor. Any information released in response to a request is regarded as being published and therefore, in the public domain without caveat.

Following enquiries within the Constabulary please see our response below.

Response – We do not have a specific offence category of 'sexting', all offences are recorded as 'Distribution of an Indecent Photo of a Child'. Further identification as to the nature of the offence, i.e. whether the sender was sending an image of themselves or of someone else can only be ascertained through reading the free text details of each crime report.

There is no way of identifying the nature of the offence (and indeed any Internet platforms used) without reading through each record individually and recording it.

Unfortunately this means it is not possible to suggest a way to refine this request, as even if the date range were reduced it would still require hundreds of records to be manually checked.

We therefore, consider that the cost of complying with your request for information would exceed the appropriate limit of £450 as has been stated in the Freedom of Information (Fees & Appropriate Limit) Regulations 2004.

Section 12(1) of the Freedom of Information Act 2000 provides that –
"Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit."

Section 17(5) of the Freedom of Information Act 2000 requires Hertfordshire Constabulary, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice under Section 12 of the Freedom of Information Act.

Should you have any further enquiries concerning this matter please do not hesitate to contact me quoting the above reference number.

Yours sincerely

James Hodson
Information Rights

Hertfordshire Constabulary provides you the right to request an independent review of this response under its review procedure. If you require such a review you must notify us within two months from the date of this letter. After lodging a complaint with Hertfordshire Constabulary if you are still dissatisfied with the decision you may make an application to the Information Commissioner. For information on how to make a complaint please visit their website at <https://ico.org.uk/concerns/> or contact them on 0303 123 1113.